



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
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Arnold Schwarzenegger
Governor

April 24, 2009

Ms. Gail Farber
Director
Los Angeles County, Department of Public Works
900 South Fremont Avenue, 2nd Floor
Alhambra, CA 91803-1331

VIA FACSIMILE AND MAIL

NOTICE OF VIOLATION – SURFRIDER BEACH, 23060 PACIFIC COAST HIGHWAY, MALIBU, CA (WASTE DISCHARGE REQUIREMENT (WDR) ORDER NO. 97-10-DWQ, CI-8532, FILE NO. 02-170)

Dear Ms. Farber:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties, including the referenced property above.

Violation of Waste Discharge Requirements

You are subject to Order No. 97-10-DWQ, in which the Regional Board specifies waste discharge requirements for discharges from your septic system. Under Monitoring and Reporting Program No. 8532, which is part of Order No. 97-10-DWQ, you are required to self monitor your discharge and to submit monitoring reports at regular intervals.

You are hereby notified that you are in violation of waste discharge requirements specified in Board Order No. 97-10-DWQ, as follows:

- **Failure to Submit Monitoring Reports on time**

The Regional Board has not received the following monitoring reports on time as shown in Table 1 below:

Monitoring Period	Due Date	Date Received	Days Late
Annual 2004	01/15/05	04/14/05	89
Annual 2005	01/15/06	04/13/06	88
Annual 2006	01/15/07	04/12/07	87
Annual 2007	01/15/08	04/15/08	91

- **Violations of Effluent and Groundwater Limits**

You have exceeded effluent flow limits and violated groundwater limits for total coliform concentration. These violations are identified in the Table 2 below:

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Date of Sample	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units
May 2005	2 nd Quarter 2005	Effluent	Average Waste Flow	2,682	2,250	gpd*
June 2005	2 nd Quarter 2005	Effluent	Average Waste Flow	4,717	2,250	gpd
09/08/06	3 rd Quarter 2006	Groundwater	Total Coliform	260	230	MPN/100ml

*gpd – gallons per day

You are required to comply immediately with the following:

1. In the future, submit your monitoring reports by the due dates listed in Monitoring and Reporting Program, CI-8532.
2. Immediately implement corrective and preventative actions to bring your discharge into full compliance with Order No. 97-10-DWQ.
3. Submit, by **May 25, 2009**, a report detailing the corrective and preventive actions taken to come into full compliance with Board Order No. 97-10-DWQ.

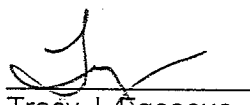
Pursuant to California Water Code §13350 (e), you are subject to penalties of up to \$5,000 for each day in which each violation occurs or \$10 for each gallon of waste discharged, but not both. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The Regional Board may request that the Attorney General seek judicial civil liabilities or injunctive relief pursuant to CWC §§13262, 13264, 13304, 13331, 13340 and 13386.

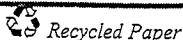
Furthermore, the Regional Board may also request that the United States Attorney, appropriate County District Attorney, or City Attorney seek criminal prosecution. A superior court may be requested to impose civil or criminal penalties.

If you have any questions please call Project Manager, Ms. Toni Callaway, at (213) 620-2259 or Unit Chief of Groundwater Permitting, Dr. Rebecca Chou, at (213) 620-6156 regarding this matter.

Sincerely,


Tracy J. Egoscue
Executive Officer

California Environmental Protection Agency



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Ms. Gail Farber
Los Angeles County, Department of Public Works

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cc: Mr. Jim Thorsen, City Manager, City of Malibu
Mr. Craig George, Division Manager of Building and Safety, City of Malibu
Mr. Patrick Nejadian, Department of Health Services, Los Angeles County
Mr. David Pedersen, Department of Public Works, Los Angeles County

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